REMARKS/ARGUMENTS

Claims 1-6 and 8-9 are pending in the present application. Claims 1-6 and 8-9 have been rejected. Claim 1 has been amended. Support for this Amendment is found generally throughout the specification and specifically on page 7, paragraph 2. Accordingly, Claims 1-6 and 8-9 remain pending in the present application. Reconsideration is respectfully requested in view of the amendments to the claims and the following remarks.

INTERVIEW

Applicant thanks Examiner Winter for the telephonic interview of May 26, 2009. We appreciate the courtesy and helpfulness of the Examiner in the interview. Amendments have been made to the claims as discussed with the Examiner to overcome previously rejected subject matter based on 35 U.S.C. §103.

Claim Rejections - 35 U.S.C. §103

Claims 1-6 and 8-9 are rejected under 35 U.S.C. §103(a) as being obvious over Mori et al., U.S. Patent 7,107,454 (hereinafter Mori), in view of Chasko et al., U.S. Patent 6,738,749 (hereinafter Chasko).

Applicant respectfully disagrees and respectfully traverses the rejection. Applicant submits Mori and Chasko do not, alone or in combination, disclose, teach or suggest "… wherein signatures are added to the same cardholder account within the database to allow for variations thereof and to reduce the rate at which transactions are incorrectly denied by the automatic electronic signature verification process" as recited in Independent Claim 1.

Examiner has cited that Mori discloses a method for automatically verifying a signature during a retail payment transaction, the method comprising: obtaining an electronic signature of

5

a cardholder; and using an electronic signature verification process to automatically verify the electronic signature (03.20.09 Office Action, Page 2).

Examiner has also cited that Chasko discloses having a point-of-sale (POS) operator manually verify the electronic signature when an exception occurs during the electronic signature verification process, along with the addition of the electronic signature to a signature database which thereby automatically builds the signature database (03.20.09 Office Action, Page 3). Examiner has also cited that at Figure 9 and Column 10, Lines 37-60, Chasko discloses that the electronic signature verification process comprises adding the electronic signature to a signature database, thereby automatically building the signature database responsible to the POS operator verifying the electronic signature.

Applicant respectfully disagrees. Chasko is directed to a system for "creating, storing and retrieving secure transaction receipts" and "…the transaction receipts may be stored on portable electronic media that can be carried by a consumer" (Abstract, Lines 1-3). Accordingly, Chasko is directed solely to an automatic verification process for signature information and rejecting any signature that does not precisely match. In Chasko, the signature must already be in the database. Accordingly, when using a system as described in Chasko, some signatures may be incorrectly rejected.

By contrast, in a system in accordance with the recited invention, the operator manually verifies the signature after the automatic verification process and then adds the signature to the same cardholder account within the database. This approach will reduce the number of incorrect exceptions that are generated by the automatic verification process because a particular consumer may sign his or her name a number of different ways. Therefore, over time, the method will operate more efficiently.

Applicant submits the proposed combination of Mori and Chasko would teach an automatic electronic signature verification process wherein signatures are manually added to a database that contains both consumer spending habits and signatures, wherein in the case of

an unmatched signature, the transaction is terminated; and in the case of a verified signature, the transaction is successfully completed.

Applicant further submits that Mori and Chasko do not, alone or in combination, disclose, teach or suggest "...wherein signatures are added to the same cardholder account within the database to allow for variations thereof and to reduce the rate at which transactions are incorrectly denied by the automatic electronic signature verification process" as recited in the present invention" as recited in Claim 1. This feature as recited in Claim 1 in cooperation with the other elements of Claim 1 is not disclosed by the cited references either singly or in combination. Accordingly, Applicant submits Claim 1 is allowable. Applicant further submits that claims 2-6 and 8-9 are also allowable first because they depend upon an allowable base claim, and second because they are also allowable their own individual merits. Accordingly, Applicant respectfully requests reconsideration and allowance of the claims 1, 2-6 and 8-9 as they are newly amended and presented.

CONCLUSION

Accordingly, Applicant respectfully requests reconsideration and allowance of pending Claims 1-6 and 8-9 are pending in the present application. as they are newly amended and presented. Applicants' attorney believes this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
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